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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 TRUE BLUE, INC., a Washington
10 corporation,

11 Plaintiff,

12 v.

13 TIMOTHY P. DYN,

14 Defendant.

15 CASE NO. C09-5328BHS

16 ORDER GRANTING
17 PLAINTIFF'S MOTION FOR A
18 TEMPORARY RESTRAINING
19 ORDER

20 This matter comes before the Court on Plaintiff's Motion for a Temporary
21 Restraining Order (Dkt. 4). The Court has considered the pleadings filed in support of the
22 motion and the remainder of the file and hereby grants the motion for the reasons stated
23 herein.

24 Plaintiff, in the Declarations of Joanna S. Monroe (Dkt. 5) and Jessica Rosner
25 (Dkt. 6), has submitted sufficient specific facts to clearly show that immediate and
26 irreparable injury, loss, or damage will result if Defendant is not temporarily restrained
27 from operating a competing, temporary staffing agency before Defendant can be heard in
28 opposition. Moreover, Plaintiff's attorney, David R. Brutt, claims that he served
 Defendant's attorney with the summons, complaint, and materials regarding this motion
 for a temporary restraining order. Dkt. 7, Declaration of David R. Brutt, ¶ 4.

20 In its motion, Plaintiff requests that the Court grant expedited discovery and set a
21 preliminary injunction hearing. Dkt. 4 at 18. First, Plaintiff has failed to show that, at
22

1 this time, expedited discovery is warranted. Second, Plaintiff has not filed a motion for a
2 preliminary injunction and, therefore, the Court will not set a hearing.

3 Therefore, it is hereby **ORDERED** that:

4 1. Defendant is enjoined from

5 (a) Engaging in, working for, providing services to, owning,
6 managing, operating, controlling, or otherwise engaging or participating in,
7 or being connected as an owner, partner, principal, creditor, salesman,
8 guarantor, advisor, member of the board of directors of, employee of,
9 independent contractor of, or consultant to, any Conflicting Organization,
10 which is defined as any person, entity, or organization engaged (or about to
11 become engaged) in a business similar to, or that competes with, the
12 business of TrueBlue, including without limitation any person or
13 organization that provides any product, process, or service that is similar to
or competes with any product, process, or service provided by TrueBlue.
The term "Conflicting Organization" specifically includes StaffEx, Inc. or
StaffEx ("StaffEx"), as well as any person, entity, or organization that
provides temporary and/or permanent staffing services in connection with
manual and/or skilled laborers, including without limitation laborers for
jobs in construction, manufacturing, hospitality services, landscaping,
warehousing, agriculture, waste and recycling, transportation, event
logistics, and retail;

14 (b) Employing or continuing to employ Jennifer Rodriguez;

15 (c) Employing, soliciting for employment, or otherwise seeking
16 to employ, retain, divert, or take away any TrueBlue employee with whom
17 Defendant worked or whom Defendant supervised or about whom
Defendant obtained information during Defendant's employment with
TrueBlue, or in any way assisting or facilitating any such employment,
solicitation, or retention effort;

18 (d) Engaging in any conduct intended or reasonably calculated to
19 induce or urge any TrueBlue employee to discontinue, in whole or in part,
his/her employment relationship with TrueBlue;

20 (e) Initiating any contact with any individual who (i) has applied
21 for and/or accepted placement in a job by TrueBlue with any individual,
22 business, or other entity whose account Defendant supervised directly or
indirectly or to whom Defendant provided services on behalf of TrueBlue at
anytime between October 15, 2006 and October 14, 2008 and (ii) about
23 whom Defendant obtained information or with whom Defendant interacted
on behalf of TrueBlue ("Candidate") for the purpose of employing,
soliciting or employment, or otherwise seeking to employ or retain any
Candidate;

24 (f) Soliciting any individual, business, or other entity whose
25 account Defendant supervised directly or indirectly or to whom Defendant
provided services on behalf of TrueBlue at anytime between October 15,
26 2006 and October 14, 2008 ("Client") for the purposes of providing
27 temporary and/or permanent staffing services, including without limitation

1 that Defendant be enjoined from initiating any contact or communication
2 with any Client for the purpose of soliciting, inviting, encouraging,
3 recommending, or requesting any Client to do business with a Conflicting
4 Organization in connection with the provision of temporary and/or
5 permanent staffing services;

6 (g) Accepting or doing business with Greater Tampa Bay Auto
7 Auction or any other Client in connection with the provision of temporary
8 and/or permanent staffing services; and

9 (h) Engaging in any conduct intended or reasonably calculated to
10 induce or urge any Client to discontinue, in whole or in part, its patronage
11 or business relationship with TrueBlue.

12 2. Plaintiff shall post a bond in the amount of \$35,000 with the Clerk of the
13 Court no later than June 12, 2009.
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15 This order shall expire on June 25, 2009, or as otherwise ordered by the Court.
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17 DATED this 11th day of June, 2009.
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BENJAMIN H. SETTLE
United States District Judge